

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DARRIUS CHRISTOPHER,

Defendant.

19-CR-875 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge:

On February 13, 2023, defendant Darrius Christopher was sentenced principally to a term of imprisonment of 137 months: 90 months imprisonment on Count 1 of the indictment for violating 18 U.S.C. § 922(g)(1) (felon in possession of ammunition) and a consecutive 47-month imprisonment on Count 3 of the indictment for violating 18 U.S.C. § 371 (conspiracy to possess ammunition after felony conviction). Defendant's sentencing guidelines range was 110 to 137 months, based on an offense level of 28 and a criminal history category of IV (with seven criminal history points). The Bureau of Prisons currently projects that defendant will be released from prison on September 20, 2029.

Effective November 1, 2023, in Amendment 821, the United States Sentencing Commission ("Sentencing Commission") amended the United States Sentencing Guidelines Manual in two respects. Part A amends Guidelines § 4A1.1, by reducing from two points to one point the upward adjustment for offenders who committed the instant offense while under any criminal sentence, and by limiting this adjustment to defendants who received seven or more criminal history points. Part B amends Guidelines § 4C1.1 by providing a two-level offense level reduction for offenders with zero criminal history points who meet specified eligibility criteria. The Sentencing Commission made these amendments retroactive effective November 1, 2023.

The Probation Department has issued a report indicating defendant is eligible for a sentence reduction pursuant to Amendment 821 because he received an enhancement for committing the instant offense while under a criminal sentence. (ECF No. 210.)

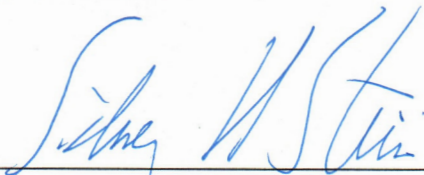
Accordingly, the Court hereby appoints defendant's prior CJA counsel, Steven Gary Brill, to represent him on this Amendment 821 application. Counsel shall submit papers

in support of a sentence reduction and the reasons supporting the proposed sentence on or before June 21, 2024. The government's response is due on or before July 12, 2024.

The Clerk of Court is directed to mail a copy of this order to defendant at the following address: Darrius Christopher (#87412-054), USP Coleman I, U.S. Penitentiary, P.O. Box 1033, Coleman, FL 33521.

Dated: New York, New York  
May 31, 2024

SO ORDERED:



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Sidney H. Stein, U.S.D.J.